

PHARMACY EXAMINING BOARD  
REGULAR MEETING  
FEBRUARY 8, 2000

MEMBERS PRESENT: John Bohlman, RPh; Sue Sutter, RPh; Michael Bettiga, RPh; Dan Luce, RPh; Cynthia Benning, RPh

MEMBER EXCUSED: Charlotte Rasmussen, Georgina Forbes

LEGAL COUNSEL: William Dusso

STAFF PRESENT: Deanna Zychowski, Karen Rude-Evans

GUESTS PRESENT: Jeff Langer, Osco Drug Store; Lisa Carlsen, Knoll Pharmaceutical; Paul Rosowski, Exam Task Force; Ken Schaefer and Chris Decker, PSW; Joseph Wiederholt; Betty Chewning, Dave Kreling and Jill Lemke, Exam Task Force

CALL TO ORDER

Chair John Bohlman called the meeting to order at 9:07 a.m.

APPROVAL OF AGENDA

Amendments: Sterile Products Rule  
Regulatory Digest status  
Letter from Aurora Health  
Appearance by Jeffrey Wejrawski, RPh  
Review of an Administrative Warning

MOTION: Cynthia Benning moved, seconded by Dan Luce, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

Amendments: On page 3 in the first motion, correct the spelling of “fatigue” to “fatigue”.  
On page 3 under Practice Questions, in the second sentence change “my” to “may”.

MOTION: Dan Luce moved, seconded by Michael Bettiga, to approve the minutes as amended. Motion carried unanimously.

SECRETARY CUMMINGS

Secretary Cummings stated that some of the Boards are having strategic planning sessions to identify stakeholders and develop goals. Of particular interest are goals relating to E-Commerce and the internet. Secretary Cummings stated that the Pharmacy Board may want to consider doing the same.

## PRESENTATION OF PROPOSED STIPULATIONS

There were no stipulations.

## REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

This item was informational.

## STERILE PRODUCTS RULE

MOTION: Cynthia Benning moved, seconded by Sue Sutter, to accept and adopt the Sterile Products Rule. This rule becomes effective April 1, 2000. Motion carried unanimously.

## RULES STATUS

Written Record of Dispensing Errors – Ready for rules to be drafted. Dan Luce will gather more information but the Board will move forward.

Delivery of Prescriptions – The draft is complete but an analysis needs to be done. The Board will review this in March, but would like the draft sent to the Clearinghouse.

Delegation of Duties – The draft is complete but an analysis needs to be done. The Board will review this in March, but would like the draft sent to the Clearinghouse.

Transfer of Prescription Order – The Board agreed to send this to the Clearinghouse.

Automated Dispensing – A hearing was held last month. It now goes to the Legislature.

## DISTRIBUTOR REQUESTS

MOTION: Dan Luce moved, seconded by Sue Sutter, to accept distributor requests for D & K Healthcare Resources, FL; Theracom, Inc., MD; Alcon Pharmaceuticals, NV; Duramed Pharmaceuticals, Inc., OH; Owens & Minor, Green Bay; Owens & Minor, Waunakee; Mediogic, Inc., IL; and Mokesson Drug Co., PA. Motion carried unanimously.

## REGULATORY DIGEST STATUS

Sue Sutter could not report on the Regulatory Digest because she did not receive the final draft. Disciplinary actions should be updated and the draft should be given to Sue Sutter as soon as possible. The Board still wants a February 2000 publication.

## VARIANCE REQUESTS

MOTION: Cynthia Benning moved, seconded by Sue Sutter, to deny the variance request for Peshtigo Pharmacy, Peshtigo. Motion carried unanimously.

MOTION: Cynthia Benning moved, seconded by Dan Luce, to grant the variance request for UW Health, Madison. Motion carried unanimously.

MOTION: Dan Luce moved, seconded by Sue Sutter, to approve the variance request for The Health Pharm, West Bend. If compounding services are to be done, the Board should be notified. Motion carried unanimously.

MOTION: Dan Luce moved, seconded by Michael Bettiga, to approve the variance request for Columbia-St. Mary's, Milwaukee, with the understanding that it is a closed system for employees only with adequate record keeping to track the prescriptions. Cynthia Benning abstained. Motion carried.

#### EXAM TASK FORCE PRELIMINARY REPORT

Paul Rosowski spoke as a representative of the Exam Task Force. He outlined the reasons why the Exam Task Force supports the Patient Consultation Exam.

#### PHARMACY SOCIETY OF WISCONSIN

Chris Decker and Ken Schaefer spoke as representatives of the Pharmacy Society of Wisconsin (PSW). They outlined the reasons why PSW does not support the Patient Consultation Exam.

#### PROFESSOR JOSEPH WIEDERHOLT

Professor Wiederholt spoke in favor of the Patient Consultation Exam.

#### PRACTICE QUESTIONS

MOTION: Dan Luce moved, seconded by Michael Bettiga, to have Bill Dusso draft a letter stating pharmacists be allowed to consult with a doctor on the phone for clarification of dosage of percocet and to make said changes on the face of the written prescription. John Bohlman will review the letter. The letter should be published in the Regulatory Digest and on the Department's website. Motion carried unanimously.

In response to a letter from Vic Petrovs, RPh, a CEO cannot tell pharmacists how to manage a pharmacy if the directives are contrary to Wisconsin law.

#### REVIEW OF ASSEMBLY BILL 643 RELATING TO MEMBERSHIP OF THE CONTROLLED SUBSTANCES BOARD

MOTION: Sue Sutter moved, seconded by Michael Bettiga, to have Cynthia Benning speak at the public hearing representing the Pharmacy Examining Board. Motion carried unanimously.

## NACDS MODEL BILL RELATING TO THE USE OF A UNIFORM PRESCRIPTION CARD FOR PROCESSING INSURANCE CLAIMS

MOTION: Dan Luce moved, seconded by Sue Sutter, to send a letter to this consortium that the Wisconsin Pharmacy Examining Board supports this movement. Motion carried unanimously.

MOTION: Cynthia Benning moved, seconded by Dan Luce, to draft similar legislation for Wisconsin. Motion carried unanimously.

## PSW ANNUAL LEGISLATIVE DAY REQUEST TO PEB MEMBERS

Patrick Braatz, legal counsel, Georgina Forbes, John Bohlman and possibly Dan Luce should attend. Michael Bettiga is not available.

## REVIEW OF INDIANA MULTIPLE COPY PRESCRIPTION PROGRAM

Cynthia Benning will contact Indiana representatives to get more information and will contact Atlantic Associates.

## ONGOING DISCUSSION REGARDING COLLABORATIVE PRACTICES

Legal counsel will research this topic and have a response for the next Board meeting.

## SELECTION OF DELEGATE TO NABP MEETING

MOTION: Dan Luce moved, seconded by Michael Bettiga, to select John Bohlman as the voting delegate and Dan Luce as the alternate at the May 6–10, 2000 NABP Meeting. Motion carried unanimously.

## REPORT OF PHARMACY INTERNSHIP BOARD

Cynthia Benning reported on the Pharmacy Internship Board (PIB). The PIB held an open hearing on the Pharmacy Internship Board chapters and clarified some of the language. The PIB will be acting as the Quality Review Council for the School of Pharmacy. The PIB also looked at the appropriateness of summer internships and both traditional and non-traditional internship sites.

## EMAIL REGARDING EXAM DATES

The designated exam date cannot be modified to accommodate the U.W. graduation date.

## RECESS TO CLOSED SESSION

MOTION: Cynthia Benning moved, seconded by Dan Luce, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of consideration of a 3-month stay of suspension and change in Board Order, meeting with Jeffrey Wejrawski, RPh, consideration of a request for

a sixty-day extension, review an administrative warning, review of case status report, reviewing exam issues and consulting with legal counsel. Roll call vote: John Bohlman – yes, Sue Sutter – yes, Michael Bettiga – yes, Dan Luce – yes, Cynthia Benning – yes. Motion carried unanimously.

Open session recessed at 1:07 p.m.

#### RECONVENE IN OPEN SESSION

Open session reconvened by consensus at 3:00 p.m.

#### VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

##### JEFFREY WEJROWSKI, RPH

MOTION: Cynthia Benning moved, seconded by Michael Bettiga, to reinstate the license of Jeffrey Wejrowski, RPh, effective March 1, 2000, with the limitations as outlined in the present order. Motion carried unanimously.

##### PHILLIP L DALLMAN, RPH

MOTION: Cynthia Benning moved, seconded by Dan Luce, to grant the three-month stay of suspension and modification of the Order for Phillip L. Dallman to allow him to work 8 consecutive hours but not more than 12 hours total per week. Motion carried unanimously.

##### PHARMACY CORPORATION OF AMERICA

MOTION: Dan Luce moved, seconded by Sue Sutter, to approve the request for a sixty-day extension for Pharmacy Corporation of America to comply with the order. The sixty-day extension begins on February 8, 2000. If compliance is not met in sixty days the license will be suspended. Motion carried unanimously.

#### CASE STATUS REPORT

MOTION: Michael Bettiga moved, seconded by Sue Sutter, to close complaint 99 PHM 067 with an administrative warning. Dan Luce abstained. Motion carried.

MOTION: Sue Sutter moved, seconded by Michael Bettiga, to close complaint 99 PHM 069 for no violation. Motion carried unanimously.

MOTION: Cynthia Benning moved, seconded by Sue Sutter, to close complaint 99 PHM 071 for prosecutorial discretion with a letter of concern. Michael Bettiga abstained. Motion carried.

#### INFORMATIONAL ITEMS

The Regulatory Digest draft was approved by consensus.

#### ADJOURNMENT

The meeting adjourned by consensus at 3:29 p.m.

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